

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**IN RE: In re: Nellson Nutraceutical, Inc., et al.**

Kelly Beaudin Stapleton, the United States Trustee & the Official Committee of Unsecured Creditors,

## Appellants

**v.**

Nellson Nutraceutical, Inc., et al.

## Appellees

Civil Action Nos. 06-520 (GMS)  
06-521 (GMS)

Bankruptcy Case No. 06-10072

## STIPULATION AND ORDER

WHEREAS, Appellees Nellson Nutraceutical, Inc., et.al. filed their Motion to Dismiss Appeal on Mootness Grounds on June 27, 2007.

WHEREAS, pursuant to Rule 8011 of the Federal Rules of Bankruptcy Procedure,

Appellants response to the Motion was due on or before July 9, 2007 (the “Response Deadline”).

WHEREAS, the Motion was filed on the Thursday prior to the week of July 4<sup>th</sup>. In light of the vacation schedules of various individuals involved in preparing Appellants' responses and the significant issues raised in the Motion, Appellees agreed to consent to a extension of the Response Deadline until July 23, 2007.

IT IS HEREBY STIPULATED by and between counsel to the parties and subject to approval of the Court that the United States Trustee's and the Official Committee of Unsecured Creditors' responses to Appellees' Motion to Dismiss Appeal on Mootness Grounds will be due on or before July 23, 2007.

This Stipulation & Order may be signed in counterparts and the counterparts, when combined, shall be deemed to be one and the same documents for all intents and purposes.

Signatures tendered by facsimile and /or e-mail may be treated as original signatures.

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SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2007

THE HONORABLE GREGORY M. SLEET

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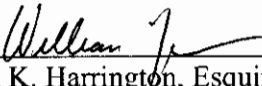
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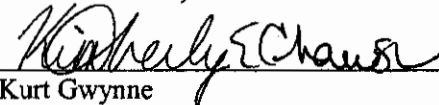
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